

**SENATE AMENDMENT NO. \_\_\_\_\_**

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend \_\_\_\_\_ SCS/Senate \_\_\_\_\_ Bill No. 5, Page 1, Section Title, Line 3

by striking "the distribution of revenues from traffic violations" and inserting in lieu thereof the following: "court costs"; and

Further amend said bill, page 5, section 302.341, line 140, by inserting immediately after said line the following:

"488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, including cases disposed of by a violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection [6] 5 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the

1 credit of the inmate security fund, established in section  
2 488.5026, of the county or municipal political subdivision from  
3 which the citation originated. If the county or municipal  
4 political subdivision has not established an inmate security  
5 fund, all of the funds shall be deposited in the MODEX fund.

6 2. [Notwithstanding subsection 1 of this section to the  
7 contrary, sheriffs, county marshals, or other officers in any  
8 county with a charter form of government and with more than nine  
9 hundred fifty thousand inhabitants or in any city not within a  
10 county shall not be allowed a charge for their services rendered  
11 in cases disposed of by a violations bureau established pursuant  
12 to law or supreme court rule.

13 3.] The sheriff receiving any charge pursuant to subsection  
14 1 of this section shall reimburse the sheriff of any other county  
15 or the City of St. Louis the sum of three dollars for each  
16 pleading, writ, summons, order of court or other document served  
17 in connection with the case or proceeding by the sheriff of the  
18 other county or city, and return made thereof, to the maximum  
19 amount of the total charge received pursuant to subsection 1 of  
20 this section.

21 [4.] 3. The charges provided in subsection 1 of this  
22 section shall be taxed as other costs in criminal proceedings  
23 immediately upon a plea of guilty or a finding of guilt of any  
24 defendant in any criminal procedure. The clerk shall tax all the  
25 costs in the case against such defendant, which shall be  
26 collected and disbursed as provided by sections 488.010 to  
27 488.020; provided, that no such charge shall be collected in any  
28 proceeding in any court when the proceeding or the defendant has  
29 been dismissed by the court; provided further, that all costs,

1 incident to the issuing and serving of writs of scire facias and  
2 of writs of fieri facias, and of attachments for witnesses of  
3 defendant, shall in no case be paid by the state, but such costs  
4 incurred under writs of fieri facias and scire facias shall be  
5 paid by the defendant and such defendant's sureties, and costs  
6 for attachments for witnesses shall be paid by such witnesses.

7 [5.] 4. Mileage shall be reimbursed to sheriffs, county  
8 marshals and guards for all services rendered pursuant to this  
9 section at the rate prescribed by the Internal Revenue Service  
10 for allowable expenses for motor vehicle use expressed as an  
11 amount per mile.

12 [6.] 5. (1) There is hereby created in the state treasury  
13 the "MODEX Fund", which shall consist of money collected under  
14 subsection 1 of this section. The fund shall be administered by  
15 the peace officers standards and training commission established  
16 in section 590.120. The state treasurer shall be custodian of  
17 the fund. In accordance with sections 30.170 and 30.180, the  
18 state treasurer may approve disbursements. The fund shall be a  
19 dedicated fund and, upon appropriation, money in the fund shall  
20 be used solely for the operational support and expansion of the  
21 MODEX system.

22 (2) Notwithstanding the provisions of section 33.080 to the  
23 contrary, any moneys remaining in the fund at the end of the  
24 biennium shall not revert to the credit of the general revenue  
25 fund.

26 (3) The state treasurer shall invest moneys in the fund in  
27 the same manner as other funds are invested. Any interest and  
28 moneys earned on such investments shall be credited to the  
29 fund."; and

1 Further amend the title and enacting clause accordingly.

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